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ART UNIT	PAPER NUMBER
3691	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/716,305	BEADLE ET AL.
Office Action Summary	Examiner	Art Unit	
	KELLIE CAMPBELL	3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 July 2009</u>.

2a)☒ This action is **FINAL.** 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,3,5,7,9,11-16,20,22-25,28-33,37 and 39-76</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,3,5,7,9,11-16,20,22-25,28-33,37 and 39-76</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date *See Continuation Sheet*.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)   **Office Action Summary**   Part of Paper No./Mail Date 20091110

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :26 November 2008, 17 March 2009, 19 March 2009, 22 December 2009.

DETAILED ACTION

1.   The following is a final Office Action on the merits in response to the application

filed on November 18, 2003. Claims 2, 4, 6, 8, 10, 17-19, 21, 27, 34-36, and 38 are

cancelled. Claims 43-76 are added. Claims 1, 5, 7, 9, 11-16, 20, 22-26, 28-33, 37, and

39-42 are amended. Therefore, Claims **1-42 are pending and have been examined.**

Response to Amendment

2.   Applicant's extensive amendments to the claims render the objections and

rejections from the previous Office action moot.

Response to Arguments

3.   Applicant's arguments with respect to the claims have been considered but are

moot in view of the new ground(s) of rejection necessitated by Applicant's amendments.

Claim Objections

4.   Claims 26, 47 and 53 are objected to because of the following informalities:

"indentifying" should be "identifying". Appropriate correction is required.

Claim Rejections - 35 USC § 102

        The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

        A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   **Claims 1, 3, 43, 44, 45, 46, 47, 48 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,539, 362 B1 to Patterson et. al (hereinafter Patterson).**

6.   **As per Claims 1, 3, 43, 44, 45, 46, 47, and 48**, Patterson discloses the limitations of these claims (abstract, figures, entire document, for example see Column 6, Lines 46-67, The wireless system of the present invention handles the three basic instructions handled by floor brokers to supplant conventional paper-based systems. These instructions are: (1) quotation requests and quotations, (2) orders and executions, including a series of partial executions against a common, larger order, and (3) memos between the floor broker and a booth clerk or another floor broker. In accordance with one aspect of the invention, there is provided a method of providing assured communications in a two-way wireless communications system adapted for use on the floor of an exchange. The method includes the steps of transmitting an instruction as a signal from a first device to a second device, altering the signal at the second device to provide an indication that the instruction has been received by the second device, echoing the altered signal from the second device to the first device, acknowledging receipt of the instruction by providing an indication that the received instruction has been seen by an operator of the second device, the step of

acknowledging including further altering the previously altered signal at the second

device, and transmitting the further altered signal from the second device to the first

device. Hence, the method provides at least notification to the sender that an

instruction has been successfully transmitted to the other's device, and that the recipient

has physically acknowledged receipt the transmitted instruction. Further, the invention

provides continuous information as to the handling of the transmitted instruction that is,

partial executions against orders, cancellations, and the like. In this manner, an

assured communication system is established, with the result that the clerk, manager,

or investor has complete knowledge of the status of an order or quote request

throughout the trading day.).

based at least in part on receiving the request from the first broker, storing by the

computing server first data that indicates a relationship between the first broker and the

user, wherein the relationship between the first broker and the user indicates that the

first broker is authorized, via the trading system, to manage trading orders on behalf of

the user (see for example Column 1, Lines 35-46 ; Column 7, Lines 13-33; Column 27,

Lines 30-62).

7.   1. A method, comprising:

receiving by a computing server from a first broker via a first computing terminal

a request by the first broker to manage trading orders, via a trading system, on behalf of

a user,

wherein to manage trading orders via the trading system includes at least:

to submit, on behalf of the user, trading orders to the trading system,

to modify, on behalf of the user, existing trading orders on the trading system,

and

to cancel, on behalf of the user, existing trading orders on the trading system,

and

wherein the computing server and the first computing terminal are

communicatively coupled via a communications network;

based at least in part on receiving the request from the first broker, storing by the

computing server first data that indicates a relationship between the first broker and the

user, wherein the relationship between the first broker and the user indicates that the

first broker is authorized, via the trading system, to manage trading orders on behalf of

the user;

receiving by the computing server from a second broker via a second computing

terminal a request by the second broker to manage trading orders, via the trading

system, on behalf of the user, wherein the computing server and the second computing

terminal are communicatively coupled via the communications network;

based at least in part on receiving the request from the second broker, storing by the

computing server second data that indicates a relationship between the second broker

and the user, wherein the relationship between the second broker and the user

indicates that the second broker is authorized, via the trading system, to manage

trading orders on behalf of the user;

receiving by the computing server from the first broker via the first computing

terminal a trading order submitted by the first broker on behalf of the user, wherein the

trading order comprises at least one of a bid to buy and an offer to sell a financial instrument; communicating by the computing server the trading order to the trading system;

receiving by the computing server from the trading system a trading message that is directed to the user and is in response to the trading order;

based at least in part on the trading message being directed to the user, identifying by the computing server, from at least the first and the second stored data, brokers having a relationship with the user, including identifying at least the first broker and the second broker;

based at least in part on identifying the first broker, communicating by the computing server the trading message to the first broker via the first computing terminal; and

based at least in part on identifying the second broker, communicating by the computing server the trading message to the second broker via the second computing terminal.

3. (Previously Presented) The method of claim 1, wherein communicating the trading message to the first broker comprises:

generating a first carrier message that includes

(i) the trading message and

(ii) routing information associated with the first computing terminal; and

communicating the first carrier message to the first computing terminal;

and wherein communicating the trading message to the second broker comprises:

generating a second carrier message that includes

(i) the trading message and (ii) routing information associated with the second

computing terminal; and

communicating the second carrier message to the second computing terminal.

43. (Previously Presented) The method of claim 1, further comprising the computing

server communicating the trading message to the user via another computing terminal.

44. (Previously Presented) The method of claim 1, wherein the method further

comprises:

based at least in part on receiving the request from the first broker, determining

by the computing server that the first broker is authorized to manage

trading orders via the trading system on behalf of the user; and

based at least in part on receiving the request from the second broker,

determining by the computing server that the second broker is authorized to manage

trading orders via the trading system on behalf of the user;

wherein storing the first data comprises storing the first data based at least in

part on determining that the first broker is authorized; and

wherein storing the second data comprises storing the second data based at least in

part on determining that the second broker is authorized.

45. (Previously Presented) The method of claim 1, further comprising:

based at least in part on receiving the request from the second broker, communicating by the computing server to the first broker via the first computing terminal that the second broker is authorized, on behalf of the user, to manage trading orders via the trading system.

46. (Previously Presented) The method of claim 45, further comprising: based at least in part on receiving the request from the second broker, communicating by the computing server to the user via another computing terminal that the second broker is authorized, on behalf of the user, to manage trading orders via the trading system.

47. (Previously Presented) The method of claim 1, further comprising: receiving by the computing server from the user via another computing terminal another trading order, wherein the another trading order comprising at least one of a bid to buy and an offer to sell the financial instrument;

communicating by the computing server the another trading order to the trading system;

receiving by the computing server from the trading system another trading message that is directed to the user and is in response to the another trading order;

based at least in part on the another trading message being directed to the user, identifying by the computing server, from at least the first and the second stored data, brokers having a relationship with the user, including indentifying at least the first broker and the second broker; and

based at least in part on identifying the first broker and the second broker as a result of receiving the another trading message,

communicating by the computing server the another trading message to the first broker

via the first computing terminal, and

communicating by the computing server the another trading message to the

second broker via the second computing terminal.

48. (Previously Presented) The method of claim 1, further comprising:

based at least in part on receiving the request from the first broker, sending by

the computing server to the trading system a login request on behalf of the user.

8.   **Claims 5, 7, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62 are rejected under**

35 U.S.C. 102(e) as being anticipated by Patterson.

9.   **As per Claims 5, 7, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62**, Patterson

discloses the limitations of these claims (abstract, figures, entire document.) and is

rejected using the same rationale as used to reject Claims 1, 3, 43, 44, 45, 46, 47, and

4 above.

5. (Currently Amended) An apparatus, comprising at least one computing server that

includes instructions, that when executed by the at least one computing server, direct

the at least one computing server to:

receive from a first broker via a first computing terminal a request by the first

broker to manage trading orders, via a trading system, on behalf of a user,

wherein to manage trading orders via the trading system includes at least:

to submit, on behalf of the user, trading orders to the trading system,

to modify, on behalf of the user, existing trading orders on the trading system, and

to cancel, on behalf of the user, existing trading orders on the trading system, and
wherein the at least one computing server is operable to communicate with the first
computing terminal via a communications network;

based at least in part on receiving the request from the first broker, store first
data that indicates a relationship between the first broker and the user, wherein the
relationship between the first broker and the user indicates that the first broker is
authorized, via the trading system, to manage trading orders on behalf of the user;
receive from a second broker via a second computing terminal a request by the second
broker to manage trading orders, via the trading system, on behalf of the user, wherein
the at least one computing server is operable to communicate with the second
computing terminal via the communications network;

based at least in part on receiving the request from the second broker, store
second data that indicates a relationship between the second broker and the user,
wherein the relationship between the second broker and the user indicates that the
second broker is authorized, via the trading system, to manage trading orders on behalf
of the user;

receive from the first broker via the first computing terminal a trading order
submitted by the first broker on behalf of the user, wherein the trading order comprises
at least one of a bid to buy and an offer to sell a financial instrument;
communicate the trading order to the trading system;
receive from the trading system a trading message that is directed to the user and is
response to the trading order;

based at least in part on the trading message being directed to the user, identify from at least the first and the second stored data brokers having a relationship with the user, including indentifying at least the first broker and the second broker;

based at least in part on identifying the first broker, communicate the trading message to the first broker via the first computing terminal; and

based at least in part on identifying the second broker, communicate the trading message to the second broker via the second computing terminal.

7. The apparatus of claim 5, wherein to communicate the trading message to the first broker comprises to:

generate a first carrier message that includes (i) the trading message and (ii) routing information associated with the first computing terminal; and

communicate the first carrier message to the first computing terminal; and wherein to communicate the trading message to the second broker comprises to:

generate a second carrier message that includes (i) the trading message and (ii) routing information associated with the second computing terminal; and

communicate the second carrier message to the second computing terminal.

49. (Previously Presented) The apparatus of claim 5, wherein the instructions, when executed by the at least one computing server, further direct the at least one computing server to communicate the trading message to the user via another computing terminal.

50. (Previously Presented) The apparatus of claim 5, wherein the instructions, when executed by the at least one computing server, further direct the at least one computing server to:

based at least in part on receiving the request from the first broker, determine that the first broker is authorized to manage trading orders via the trading system on behalf of the user; and

based at least in part on receiving the request from the second broker, determine that the second broker is authorized to manage trading orders via the trading system on behalf of the user;

wherein to store the first data comprises to store the first data based at least in part on determining that the first broker is authorized; and

wherein to store the second data comprises to store the second data based at least in part on determining that the second broker is authorized.

51. (Previously Presented) The apparatus of claim 5, wherein the instructions, when executed by the at least one computing server, further direct the at least one computing server to:

based at least in part on receiving the request from the second broker, communicate to the first broker via the first computing terminal that the second broker is authorized, on behalf of the user, to manage trading orders via the trading system.

52. (Previously Presented) The apparatus of claim 51, wherein the instructions, when executed by the at least one computing server, further direct the at least one computing server to:

based at least in part on receiving the request from the second broker, communicate to the user via another computing terminal that the second broker is authorized, on behalf of the user, to manage trading orders via the trading system.

53. (Previously Presented) The apparatus of claim 5, wherein the instructions, when executed by the at least one computing server, further direct the at least one computing server to:

receive from the user via another computing terminal another trading order, wherein the another trading order comprising at least one of a bid to buy and an offer to sell the financial instrument;

communicate the another trading order to the trading system;
receive from the trading system another trading message that is directed to the user and is in response to the another trading order;

based at least in part on the another trading message being directed to the user, identify from at least the first and the second stored data, brokers having a relationship with the user, including indentifying at least the first broker and the second broker; and based at least in part on identifying the first broker and the second broker as a result of receiving the another trading message,
communicate the another trading message to the first broker via the first computing terminal, and

communicate the another trading message to the second broker via the second computing terminal.

54. (Previously Presented) The apparatus of claim 5, wherein the instructions, when executed by the at least one computing server, further direct the at least one computing server to:

based at least in part on receiving the request from the first broker, send to the trading

system a login request on behalf of the user.

10.   **Claims 9, 11, 12, 13, 14, 60, 63,64, 22, 65, 23, 24, 25   are rejected under 35**

U.S.C. 102(e) as being anticipated Patterson.

11.   **As per Claims 9, 11, 12, 13, 14, 60, 63,64, 22, 65, 23, 24, 25**, Patterson

discloses the limitations of these claims (abstract, figures, entire document.) and is

rejected using the same rationale as used to reject Claims 1, 3, 43, 44, 45, 46, 47, and

4 above.

Patterson discloses a command submitted by the first broker on behalf of the

user to change at least one of a price and a size associated with the trading order, and

a command submitted by the first broker on behalf of the user to cancel the order

(Column 26, Lines 16-22 There are times when an order which has already been sent to

the HHD for handling by a selected floor broker should be canceled or modified. For

example, the clerk may have erroneously entered the price, quantity, or terms of the

order, or the investor may have reconsidered the order altogether. If the floor broker

has not already completely filled the order, the order may be canceled or modified.).

12.   **As per Claims 9, 11, 12, 13, 14, 60, 63,64, 22, 65, 23, 24, 25**, Patterson

discloses the limitations of these claims (abstract, figures, entire document.).

Patterson does not expressly disclose storing by the computing server first data

that indicates a relationship between the first broker and the user, wherein the

relationship between the first broker and the user indicates that the first broker is

authorized, via the trading system, to manage trading orders on behalf of the user;

9. (Currently Amended) A method, comprising:

receiving by a computing server from a first broker via a first computing terminal

a request by the first broker to manage trading orders, via a trading system, on behalf of

a user,

wherein to manage trading orders via the trading system includes at least:

to submit, on behalf of the user, trading orders to the trading system,

to modify, on behalf of the user, existing trading orders on

the trading system, and

to cancel, on behalf of the user, existing trading orders on the trading system,

and

wherein the computing server and the first computing terminal are

communicatively coupled via a communications network;

based at least in part on receiving the request from the first broker, storing by the

computing server first data, wherein the first data:

(i) indicates a relationship between the first broker and the user, wherein the

relationship between the first broker and the user indicates that the first broker is

authorized, via the trading system, to mange trading orders on behalf of the user, and

(ii) indicates an association between:

(a) a connection between the computing server and the trading system, the connection being one plurality of connections between the computing server and the trading system, and

(b) the relationship between the first broker and the user; receiving by the computing server from the first broker via the first computing terminal a trading command submitted by the first broker on behalf of the user, the trading command comprising information that identifies the user;

based at least in part on the information from the trading command that identifies the user, identifying by the computing server from the first data the relationship between the first broker and the user;

in response to identifying the relationship between the first broker and the user, identifying by the computing server the connection from the plurality of connections~ that is associated with the relationship; and

based at least in part on identifying the connection, communicating by the computing server the trading command to the trading system via the identified connection.

11. (Previously Presented) The method of claim 9, wherein receiving the trading command from the first broker comprises receiving from the first computing terminal a carrier message that includes the trading command; and

wherein the method further comprises separating by the computing server the trading command from the carrier message prior to communicating the trading command to the trading system.

12, (Previously Presented) the method of claim 9, wherein the trading command communicated by the computing server to the trading system represents a trading command that would be generated by a computing terminal associated with the user if the user were to submit the trading command.

As per Claim 13, (Previously Presented) the method of claim 9, wherein the trading command received from the first broker comprises a trading order submitted by the first broker on behalf of the user, wherein the trading order comprises at least one of a bid to buy and an offer to sell a financial instrument.

14, (Previously Presented) the method of claim 9, wherein the method further comprises:

receiving by the computing server from the first broker via the first computing terminal a trading order submitted by the first broker on behalf of the user, wherein the trading order comprises at least one of a bid to buy and an offer to sell a financial instrument; and

communicating by the computing server the trading order to the trading system; and wherein the trading command received from the first broker comprises at least one of:

a command submitted by the first broker on behalf of the user to change at least one of a price and a size associated with the trading order, and

a command submitted by the first broker on behalf of the user to cancel the

15. (Previously Presented) The method of claim 59, wherein the trading command received from the first broker comprises a command submitted by the first broker on

behalf of the user to change at least one of a price and a size associated with the
trading order submitted by the second broker.

16. (Previously Presented) The method of claim 59, wherein the trading command
received from the first broker comprises a command submitted by the first broker to
cancel the trading order submitted by the second broker.

20. (Previously Presented) The method of claim 9, further comprising:

receiving by the computing server from the trading system a trading message
that is directed to the user and is in response to the trading command;

based at least in part on the trading message being directed to the user, identifying by
the computing server, from at least the first stored data, brokers having a relationship
with the user, including identifying at least the first broker; and

based at least in part on identifying the first broker, communicating by the
computing server the trading message to the first broker via the first computing terminal.

22. (Currently Amended) The method of claim 9, further comprising:

receiving by the computing server from a second broker via a second computing
terminal a request by the second broker to manage trading orders, via the trading
system, on behalf of the user, wherein the computing server and the second computing
terminal are communicatively coupled via the communications network;

based at least in part on receiving the request from the second broker, storing by the
computing server second data, wherein the second data:

(i) indicates a relationship between the second broker and the user, wherein the relationship between the second broker and the user indicates that the second broker is authorized, via the trading system, to mange trading orders on behalf of the user, and

(ii) indicates an association between:

(a) the connection between the computing server and the trading system, and

(b) the relationship between the second broker and the user; receiving by the computing server from the second broker via the second computing terminal an additional trading command submitted by the second broker on behalf of the user, the additional trading command comprising information that identifies the user;

based at least in part on the information from the additional trading command that identifies the user, identifying by the computing server from the second data the relationship between the second broker and the user;

in response to based at least in part on the association between the connection and the identified identifying the relationship between the second broker and the user, identifying by the computing server the connection from the plurality of connections, that is associated with the relationship between the second broker and the user: and communicating by the computing server the additional trading command to the trading system via the identified connection.

23. (Previously Presented) The method of claim 22, wherein the trading command received from the first broker comprises a trading order submitted by the first broker on behalf of the user, and wherein the trading order comprises at least one of a bid to buy and an offer to sell a financial instrument.

24. (Previously Presented) The method of claim 23, wherein the additional trading command received from the second broker comprises a command submitted by the second broker on behalf of the user to change at least one of a price and a size associated with the trading order submitted by the first broker.

25. (Previously Presented) The method of claim 23, wherein the additional trading command received from the second broker comprises a command submitted by the second broker of behalf of the user to cancel the trading order submitted by the first broker.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 26, 28, 29, 30, 31, 37, 74, 75, 39, 76, 40, 41, 42, 66, 67, 69, 70, 32, 33, 71, 72, 73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patterson.

13.   **As per Claims 26, 28, 29, 30, 31, 37, 74, 75, 39, 76, 40, 41, 42, 66, 67, 69, 70, 32, 33, 71, 72, 73,** Patterson discloses the limitations of these claims (abstract, figures, entire document.) and is rejected using the same rationale as used to reject Claims 9, 11, 12, 13, 14, 60, 63, 64, 22, 65, 23, 24, 25 above.

Patterson does not expressly discloses wherein the additional trading command received from the second broker comprises a command submitted by the second broker on behalf of the user to cancel the trading order submitted by the first broker.

However, Patterson teaches one broker managing trading instructions for another broker (Column 7, Lines 11-33, According to a further aspect of the present invention, a method is provided for managing the activities of one or more floor brokers situated on the floor of an exchange. The method includes the steps of reviewing any delegated instructions that have a pending status so as to monitor the progress of any one of the one or more floor brokers, determining the one of the one or more floor brokers who is best able to handle a further instruction by comparing the relative number of reviewed delegated instructions having a pending status, finding the floor broker with a comparatively few number of pending instructions, and delegating the further instruction to the one of the one or more floor brokers who is determined to be best able to handle the further instruction. As an option step, the manager may simultaneously monitor the progress of more than one floor broker. Further, by managing the activities of the floor brokers in real-time, the manager can be responsive to customer or investor requests for status reports on executions against order, quotations, and to requests to cancel orders, etc. Also, the customer or investor may obtain a status report directly from the floor brokers, when authorized to do so, by monitoring the progress of the pending and completed instructions.) and modifying trading orders (Column 26, Lines 16-22 There are times when an order which has already been sent to the HHD for handling by a selected floor broker should be

canceled or modified. For example, the clerk may have erroneously entered the price,

quantity, or terms of the order, or the investor may have reconsidered the order

altogether. If the floor broker has not already completely filled the order, the order may

be canceled or modified.).

Therefore, it would have been obvious to a person having ordinary skill in the art

at the time the invention was made to modify the invention of Patterson so that the

additional trading command received from the second broker comprises a command

submitted by the second broker on behalf of the user to cancel the trading order

submitted by the first broker.

A person having ordinary skill in the art at the time the invention was made would

have been motivated to do so in order to allow another broker to pick up slack for

another broker (Column 7, Lines 16-20, The method includes the steps of reviewing any

delegated instructions that have a pending status so as to monitor the progress of any

one of the one or more floor brokers, determining the one of the one or more floor

brokers who is best able to handle a further instruction by comparing the relative

number of reviewed delegated instructions having a pending status, finding the floor

broker with a comparatively few number of pending instructions, and delegating the

further instruction to the one of the one or more floor brokers who is determined to be

best able to handle the further instruction).

26. (Currently Amended) An apparatus, comprising at least one computing server that

includes instructions, that when executed by the at least one computing server, direct

the at least one computing server to:

receive from a first broker via a first computing terminal a request by the first

broker to manage trading orders, via a trading system, on behalf of a user,

wherein to manage trading orders via the trading system includes at least:

to submit, on behalf of the user, trading orders to the trading system,

to modify, on behalf of the user, existing trading orders on the trading system, and

to cancel, on behalf of the user, existing trading orders on the trading system, and

wherein the at least one computing server is operable to communicate with the first

computing terminal via a communications network;

based at least in part on receiving the request from the first broker, store first data,

wherein the first data:

(i) indicates a relationship between the first broker and the user, wherein the

relationship between the first broker and the user indicates that the first broker is

authorized, via the trading system, to manage trading orders on behalf of the user, and

(ii) indicates an association between:

(a) a connection between the at least one computing server and the trading system, the

connection being one plurality of connections between the at least one computing

server and the trading system, and

(b) the relationship between the first broker and the user; receive from the first broker

via the first computing terminal a trading command submitted by the first broker on

behalf of the user, the trading command comprising information that identifies the user;

based at least in part on the information from the trading command that identifies the

user, identify from the first data the relationship between the first broker and the user;

in response to based at least in part on the association between the connection and the indentified identifying the relationship between the first broker and the user, identify the connection from the plurality of connections, that is associated with the relationship; and based at least in part on identifying the connection, communicate the trading command to the trading system via the identified connection.

28. (Previously Presented) The apparatus of claim 26, wherein to receive the trading command from the first broker comprises to receive from the first computing terminal a carrier message that includes the trading command; and

wherein the instructions, when executed by the at least one computing server, further direct the at least one computing server to separate the trading command from the carrier message prior to communicating the trading command to the trading system.

29. (Previously Presented) The apparatus of claim 26, wherein the trading command communicated by the at least one computing server to the trading system represents a trading command that would be generated by a computing terminal associated with the user if the user were to submit the trading command.

30. (Previously Presented) The apparatus of claim 26, wherein the trading command received from the first broker comprises a trading order submitted by the first broker on behalf of the user, wherein the trading order comprises at least one of a bid to buy and an offer to sell a financial instrument.

31. (Previously Presented) The apparatus of claim 26, wherein the instructions, when executed by the at least one computing server, further direct the at least one computing server to:

receive from the first broker via the first computing terminal a trading order

submitted by the first broker on behalf of the user, wherein the trading order comprises

at least one of a bid to buy and an offer to sell a financial instrument; and

communicate the trading order to the trading system; and

wherein the trading command received from the first broker comprises at least one of:

a command submitted by the first broker on behalf of the user to change at least one of

a price and a size associated with the trading order, and

a command submitted by the first broker on behalf of the user to cancel the trading

order.

32. (Previously Presented) The apparatus of claim 70, wherein the trading command

received from the first broker comprises a command submitted by the first broker on

behalf of the user to change at least one of a price and a size associated with the

trading order submitted by the second broker.

33. (Previously Presented) The apparatus of claim 70, wherein the trading command

received from the first broker comprises a command submitted by the first broker on

behalf of the user to cancel the trading order submitted by the second broker.

37. (Previously Presented) The apparatus of claim 26, wherein the instructions, when

executed by the at least one computing server, further direct the at least one computing

server to:

receive from the trading system a trading message that is directed to the user

and is in response to the trading command;

based at least in part on the trading message being directed to the user, identify

from at least the first stored data brokers having a relationship with the user, including

identifying at least the first broker; and

based at least in part on identifying the first broker, communicate the trading

message to the first broker via the first computing terminal.

39. (Currently Amended) The apparatus of claim 26, wherein the instructions, when

executed by the at least one computing server, further direct the at least one computing

server to:

receive from a second broker via a second computing terminal a request by the second

broker to manage trading orders, via the trading system, on behalf of the user, wherein

the at least one computing server is operable to communicate with the second

computing terminal via the communications network;

based at least in part on receiving the request from the second broker, store second

data, wherein the second data:

(i) indicates a relationship between the second broker and the user, wherein the

relationship between the second broker and the user indicates that the second broker is

authorized, via the trading system, to mange trading orders on behalf of the user, and

(ii) indicates an association between:

(a) the connection between the at least one computing server and the trading system,

and

(b) the relationship between the second broker and the

user;

receive from the second broker via the second computing terminal an additional trading

command submitted by the second broker on behalf of the user, the additional trading

command comprising information that identifies the user;

based at least in part on the information from the additional trading command

that

identifies the user, identify from the second data the relationship between the second

broker and the user;

in response to based at least in part on the association between the connection and the

identified identifying the relationship between the second broker and the user, identify

the connection from the plurality of connections, that is associated with the relationship

between the second broker and the user; and

communicate the additional trading command to the trading system via the

identified connection.

40. (Previously Presented) The apparatus of claim 39, wherein the trading command

received from the first broker comprises a trading order submitted by the first broker on

behalf of the user, and wherein the trading order comprises at least one of a bid to buy

and an offer to sell a financial instrument.

41. (Previously Presented) The apparatus of claim 40, wherein the additional trading

command received from the second broker comprises a command submitted by the

second broker on behalf of the user to change at least one of a price and a size

associated with the trading order submitted by the first broker.

42. (Previously Presented) The apparatus of claim 40, wherein the additional trading

command received from the second broker comprises a command submitted by the
second broker on behalf of the user to cancel the trading order submitted by the first
broker.

executed by the at least one computing server, further direct the at least one
computing server to communicate the trading message to the user via another
computing terminal.

55. (Previously Presented) The method of claim 9,

wherein the method further comprises:

14.   based at least in part on receiving the request from the first broker, determining
by the computing server that the first broker is authorized to manage trading orders via
the trading system on behalf of the user; and
wherein storing the first data comprises storing the first data based at least in part on
determining that the first broker is authorized.

56. (Previously Presented) The method of claim 9, further comprising: based at least in
part on receiving the request from the first broker, communicating by the computing
server to at least one other broker via another computing terminal that the first broker is
authorized, on behalf of the user, to manage trading orders via the trading system.

57. (Previously Presented) The method of claim 56, further comprising: based at least in
part on receiving the request from the first broker, communicating by the computing
server to the user via a further computing terminal that the first broker is authorized, on
behalf of the user, to manage trading orders via the trading system.

58. (Previously Presented) The method of claim 9, further comprising:

based at least in part on receiving the request from the first broker, sending by the

computing server to the trading system a login request on behalf of the user.

59. (Previously Presented) The method of claim 9, further comprising: receiving by the

computing server from a second broker via a second computing terminal a trading order

submitted by the second broker on behalf of the user, wherein the trading order

comprises at least one of a bid to buy and an offer to sell a financial instrument; and

communicating by the computing server the trading order to the trading system.

60. (Previously Presented) The method of claim 9, further comprising: receiving by the

computing server from the user via another computing terminal a trading order

submitted by the user, wherein the trading order comprises at least one of a bid to buy

and an offer to sell a financial instrument; and

communicating by the computing server the trading order to the trading system.

61. (Previously Presented) The method of claim 60, wherein the trading command

received from the first broker comprises a command submitted by the first broker on

behalf of the user to change at least one of a price and a size associated with the

trading order submitted by the user.

62. (Previously Presented) The method of claim 60, wherein the trading command

received from the first broker comprises a command submitted by the first broker on

behalf of the user to cancel the trading order submitted by the user.

63. (Previously Presented) The method of claim 20, further comprising the computing

server communicating the trading message to the user via another computing terminal.

64. (Previously Presented) The method of claim 20, further comprising the computing

server communicating the trading message to at least a second broker via a second
computing terminal.

65. (Previously Presented) The method of claim 22, further comprising:

receiving by the computing server from the trading system a trading message that is
directed to the user;

based at least in part on the trading message being directed to the user, identifying by
the computing server, from at least the first and the second stored data, brokers having
a relationship with the user, including identifying at least the first broker and the second
broker; based at least in part on identifying the first broker, communicating by the
computing server the trading message to the first broker via the first computing terminal;
and

based at least in part on identifying the second broker, communicating by the computing
server the trading message to the second broker via the second computing terminal.

66. (Previously Presented) The apparatus of claim 26,

wherein the instructions, when executed by the at least one computing server, further
direct the at least one computing server to:

based at least in part on receiving the request from the first broker, determine that the
first broker is authorized to manage trading orders via the trading system on behalf of
the user; and

wherein to store the first data comprises to store the first data based at least in part on
determining that the first broker is authorized.

67. (Previously Presented) The apparatus of claim 26, wherein the instructions, when

executed by the at least one computing server, further direct the at least one computing

server to:

based at least in part on receiving the request from the first broker, communicate to at

least one other broker via another computing terminal that the first broker is authorized,

on behalf of the user, to manage trading orders via the trading system.

68. (Previously Presented) The apparatus of claim 67, wherein the instructions, when

executed by the at least one computing server, further direct the at least one computing

server to:

based at least in part on receiving the request from the first broker, communicate to the

user via a further computing terminal that the first broker is authorized, on behalf of the

user, to manage trading orders via the trading system.

69. (Previously Presented) The apparatus of claim 26, wherein the instructions, when

executed by the at least one computing server, further direct the at least one computing

server to:

based at least in part on receiving the request from the first broker, send to the trading

system a login request on behalf of the user.

70. (Previously Presented) The apparatus of claim 26, wherein the instructions, when

executed by the at least one computing server, further direct the at least one computing

server to:

receive from a second broker via a second computing terminal a trading order submitted

by the second broker on behalf of the user, wherein the trading order comprise at least

one of a bid to buy and an offer to sell a financial instrument; and

communicate the trading order to the trading system.

71. (Previously Presented) The apparatus of claim 26, wherein the instructions, when executed by the at least one computing server, further direct the at least one computing server to:

receive from the user via another computing terminal a trading order submitted by the user, wherein the trading order comprises at least one of a bid to buy and an offer to sell a financial instrument; and

communicate the trading order to the trading system.

72. (Previously Presented) The apparatus of claim 71, wherein the trading command received from the first broker comprises a command submitted by the first broker on behalf of the user to change at least one of a price and a size associated with the trading order submitted by the user.

73. (Previously Presented) The apparatus of claim 71, wherein the trading command received from the first broker comprises a command submitted by the first broker on behalf of the user to cancel the trading order submitted by the user.

74. (Previously Presented) The method of claim 37, wherein the instructions, when executed by the at least one computing server, further direct the at least one computing server to communicate the trading message to the user via another computing terminal.

75. (Previously Presented) The method of claim 37, wherein the instructions, when executed by the at least one computing server, further direct the at least one computing server to communicate the trading message to at least a second broker via a second computing terminal.

76. (Previously Presented) The apparatus of claim 39, wherein the instructions, when executed by the at least one computing server, further direct the at least one computing server to: receive from the trading system a trading message that is directed to the user; based at least in part on the trading message being directed to the user, identify from at least the first and the second stored data brokers having a relationship with the user, including identifying at least the first broker and the second broker;

based at least in part on identifying the first broker, communicate the trading message to the first broker via the first computing terminal; and

based at least in part on identifying the second broker, communicate the trading message to the second broker via the second computing terminal.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Kellie Campbell whose telephone number is (571) 270-5495. The examiner can normally be reached on Monday through Thursday, 6:30 am to 5 pm EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bradley Bayat can be reached on 571-272-6704. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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